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SUBJECT: REVISED INSTRUCTIONS -- UNGA THIRD COMMITTEE  
RESOLUTION ON "FOLLOW-UP TO THE FOURTH WORLD CONFERENCE ON  
WOMEN AND FULL IMPLEMENTATION OF THE BEIJING DECLARATION  
AND PLATFORM FOR ACTION AND THE OUTCOME OF THE  
TWENTY-THIRD SPECIAL SESSION OF THE GENERAL ASSEMBLY."

REF: STATE 158405.

¶1. This instruction cable replaces State 158405. After sending State 158405, USDEL learned that the Beijing follow-up text is not a resolution, but a Chair's text. Unlike resolutions, Chair's texts cannot be voted. But a member state that disagrees with part or all of the text does have the options of 1) blocking consensus; or 2) allowing the measure to be adopted by consensus but disassociating from consensus with respect to all or part of the resolution with an Explanation of Position.

¶2. Paragraphs of concern.

-- OP 2 reaffirms the Beijing Women's Conference and its five-year follow-ups.

-- OP 3 " ... welcomes the contributions of the Committee on the Elimination of Discrimination Against Women."

-- OP 5 "Calls upon States parties to comply fully with their obligations under the Convention on the Elimination of All Forms of Discrimination against Women and the Optional Protocol thereto and to take into consideration the concluding comments as well as the general recommendations of the Committee ...".

-- OP 7(h) reads: "Incorporating gender perspectives and human rights in health-sector policies, programmes and research activities, paying attention to women's and girls' specific needs and priorities, ensuring women's right to the highest attainable standard of health and their access to affordable and adequate health-care services, including sexual, reproductive and maternal health care and lifesaving obstetric care, in accordance with the Programme of Action of the International Conference on Population and Development, and recognizing that the lack of economic empowerment and independence has increased women's vulnerability to a range of negative consequences, involving the risk of contracting HIV/AIDS, malaria, tuberculosis and other poverty-related diseases."

-- OP 7(i) reads: Eliminating gender inequalities, gender-based abuse and violence; increasing the capacity of women and adolescent girls to protect themselves from the risk of HIV infection, principally through the provision of health care and services, including, inter alia, sexual and reproductive health, and the provision of full access to comprehensive information and education; ensuring that women can exercise their right to have control over, and decide freely and responsibly on, matters related to their sexuality in order to increase their ability to protect themselves from HIV infection, including their sexual and reproductive

health, free of coercion, discrimination and violence; and taking all necessary measures to create an enabling environment for the empowerment of women and to strengthen their economic independence, while, in this context, reiterating the importance of the role of men and boys in achieving gender equality."

This paragraph contains the phrase "sexual and reproductive health," which requires an EOP from the U.S. Although this paragraph contains a variant of "reproductive health services," the U.S. can accept this language. The paragraph concerns protection from HIV/AIDS infection, and abortion is not a way to protect oneself from HIV/AIDS. the wording of OP 7(i) is drawn from the HIV/AIDS Political Declaration.

¶3. Mission is instructed to disassociate from consensus on the paragraphs cited above and deliver an Explanation of Position. Mission can draw from the points below for the U.S. EOP.

BEGIN POINTS.

For OP 2.

-- The U.S. understands that references to the Beijing Declaration and Platform for Action and their five and ten year reviews do not create any rights and, in particular, do not create or recognize a right to abortion. They cannot be interpreted to constitute support, endorsement, or promotion of abortion.

For OP 3.

-- OP 3 of the resolution " ... welcomes the contributions of the Committee on the Elimination of Discrimination Against Women." We regard this as an acknowledgment of the CEDAW Committee's efforts on Beijing implementation rather than an endorsement of specific pronouncements or recommendations.

For OP 5.

-- OP 5 calls upon States Parties to CEDAW, inter alia, "to take into consideration the concluding comments as well as the general recommendations of the Committee." While the U.S. acknowledges the important work of the CEDAW Committee in some areas, we have concerns about the Committee's recommendations in other areas.

For OP 7(h) and OP 7(i).

-- The U.S. understands that there is international consensus that the term "sexual and reproductive health" does not include abortion or constitute support, endorsement, or promotion of abortion or the use of abortifacients.

-- The wording in OP 7(h) contain a variant of the phrase "reproductive health services." The U.S. does not accept this term because there is ambiguity in its meaning.

END POINTS.

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